

REMARKS

The Examiner's Action on 03/20/98 has been carefully considered and the foregoing amendment has been made in consequence thereof. Claims 1, 4-7, 9-11, 14-17, 19-20, 22, and 26-37 are pending in the present application. Of these, Claims 1, 11 and 22 have been amended. This amendment has been made to further define Applicant's invention and if need be, to the place this application in better form for appeal. Favorable reconsideration is hereby requested.

The Examiner rejected claims 1, 11 and 22 under 35 U.S.C. § 102(a) as being anticipated by C. Yang, "INETPhone: Telephone Services and Servers on Internet", April 1995, pp. 1-6. Applicant respectfully traverses the Examiner's rejection.

First, Applicant would like to reemphasize the arguments that Applicant made in the response dated 12/8/97 to the Examiner's action regarding the Yang reference and its failure to teach or suggest the present invention. Second, Applicant respectfully submits that even though Yang may suggest some portions of the invention in general, in order for Yang to anticipate the invention under 35 U.S.C. § 102, Yang must teach every aspect of the claimed invention either explicitly or implicitly. Any feature not directly taught must be inherently present. (MPEP 706.02) Applicant respectfully submits that Yang does not teach, or suggest, every aspect of the claimed invention as recited by claim 1.

Claim 1 recites "A telecommunications system comprising: an originating circuit-switched network for providing originating signals in response to voice input, an originating gateway computer for converting said originating signals into packets of digital data, a terminating gateway computer that accepts out of band signaling and converts said digital packets into terminating signals, a terminating circuit-switched network for providing voice output in response to said terminating signals, and a packet-switched network for transmitting said digital packets from said originating gateway computer to said terminating gateway computer, at least one of said originating and terminating gateway computers comprising a component for routing said digital packets through said packet-switched network from said originating gateway computer to said terminating gateway computer; wherein said terminating circuit-switched network is capable of providing first return signals to said terminating gateway computer in response to return voice input, wherein said terminating gateway computer comprises a component for converting said first return signals into

return packets of return digital data, wherein at least one of said originating and terminating gateway computers comprises a component for routing said return packets through said packet-switched network from said terminating gateway computer to said originating gateway computer, and wherein said originating gateway computer comprises a component for converting said return packets into second return signals."

In contrast, Yang does not teach or suggest the present invention as recited by claim 1. For example, Yang does not teach or suggest a terminating gateway in a telecommunications system as recited by claim 1. In addition, Yang never contemplates a gateway that also accepts out of band signaling as recited by claim 1. Accordingly, claim 1 is patentable over Yang.

In addition, claims 4-7, 9-10 and 26-31 are dependent on claim 1 and also patentable over Yang for at least the same reasons as claim 1.

Claim 11 recites "A telecommunications system comprising: an originating switched network for providing digital packets corresponding to originating signals produced in response to voice input, a gateway computer that accepts out of band signaling and converts said digital packets into packets of terminating signals, a circuit-switched network for providing voice output in response to said terminating signals, and a packet-switched network for transmitting said digital packets from said originating gateway network to said gateway computer, at least one of said originating network and said gateway computer comprising a component for routing said digital packets through said packet-switched network from said originating network to said gateway computer; wherein said circuit-switched network is capable of providing first return signals to said gateway computer, wherein said gateway computer comprises a component for converting said first return signals into packets of return digital data, wherein at least one of said originating network and said gateway computer comprises a component for routing said return packets through said packet-switched network from said gateway computer to said originating network, and wherein said originating network comprises a component for converting said return packets into second return signals.

In contrast, Yang does not teach or suggest the present invention as recited by claim 11. For example, as stated previously, Yang does not teach or suggest a terminating gateway in a telecommunications system as recited by claim 11. Furthermore, Yang never contemplates a

gateway that also accepts out of band signaling as recited by claim 11. Therefore, claim 11 is patentable over Yang.

Moreover, claims 14-17 and 19-20 are dependent on claim 11 and are also patentable over Yang for at least the same reasons as claim 11.

Claim 22 recites "A telecommunications system comprising steps of: providing originating digital packets for transmission from an originating network, said originating digital packets corresponding to originating signals produced in response to originating voice input; routing said originating digital packets from said originating network to a gateway computer, that accepts out of band signaling, through a packet-switched network in response to an originating routing component in at least one of said originating network and said gateway computer; converting said originating digital packets into terminating signals for transmission from said gateway computer; transmitting said terminating signals through a circuit-switched network for providing terminating voice output in response to said terminating signals; providing first return signals to said gateway computer in response to return voice input into said circuit-switched network; converting said return signals into return digital packets of return digital data for transmission from said gateway computer; routing said return digital packets through said packet-switched network from said gateway computer to said originating network in response to said originating routing component or another routing component in said originating network or said gateway computer; and converting said return digital packets into second return signals."

In contrast, Yang does not teach or suggest the present invention as recited by claim 22. For example, as stated previously, Yang does not teach or suggest a terminating gateway in a telecommunications system as recited by claim 22. Furthermore, Yang never contemplates a gateway that also accepts out of band signaling as recited by claim 22. Thus, claim 22 is patentable over Yang.

Furthermore, claims 32-37 are dependent on claim 22 and are also patentable over Yang for at least the same reasons as claim 22.

The Examiner rejected claims 4-7, 9-10, 26-31, 14-17, 19-20, 23 and 32-37 under 35 U.S.C. § 103(a) as being unpatentable over C. Yang in view of Bruno et al. (U.S. Patent Number 5,724,355). Applicant respectfully traverses the Examiner's rejection.

As stated previously, Yang does not teach or suggest the present invention as recited by claim 1. In addition, Yang in view of Bruno et al. does not teach or suggest the shortcomings of Yang in regards to the present invention as recited by claim 1. For example, Yang in view of Bruno et al. does not teach or suggest a gateway computer in a telecommunications system as recited by claim 1. Therefore, claim 1 is patentable over Yang in view of Bruno et al.

Additionally, claims 4-7, 9-10 and 26-31 are dependent on claim 1 and also patentable over Yang in view of Bruno et al. for at least the same reasons as claim 1.

Moreover, as stated previously, Yang does not teach or suggest the present invention as recited by claim 11. Yang in view of Bruno et al. does not teach or suggest the shortcomings of Yang in regards to the present invention as recited by claim 1. For example, Yang in view of Bruno et al. does not teach or suggest a gateway computer in a telecommunications system as recited by claim 11. Accordingly, claim 11 is patentable over Yang in view of Bruno et al.

In addition, claims 14-17 and 19-20 are dependent on claim 11 and are also patentable over Yang in view of Bruno et al. for at least the same reasons as claim 11.

Furthermore, as stated previously, Yang does not teach or suggest the present invention as recited by claim 22. Additionally, Yang in view of Bruno et al. does not teach or suggest the shortcomings of Yang in regards to the present invention as recited by claim 1. For example, Yang in view of Bruno et al. does not teach or suggest a gateway computer in a telecommunications system as recited by claim 22. Thus, claim 22 is patentable over Yang in view of Bruno et al.

Additionally, claims 32-37 are dependent on claim 22 and are also patentable over Yang in view of Bruno et al. for at least the same reasons as claim 22.

It is respectfully submitted that the claims recite the patentably distinguishing features of the invention and that the present application is now in proper form for allowance. While it is believed that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

Respectfully submitted,



Ruben C. DeLeon  
Attorney for Applicants  
Reg. No. 37,812

MCI Communications Corporation  
1133 19th Street, NW  
Washington, DC 20036  
Phone: (972) 918-5028  
Fax: (972) 918-7255